

# HOUSE BILL No. 1356

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-32.2-2-24.

**Synopsis:** Charity gaming. Amends the definition of "qualified organization" to enable an organization that reorganizes and changes its name to obtain a charity gaming license under the new name. Requires the reorganized organization to have been continuously in existence in Indiana for at least five (5) years or affiliated with a parent organization that had been in existence in Indiana for at least five (5) years under its previous name. Describes the information considered evidence of the continuity between organizations.

**Effective:** July 1, 2009.

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January 13, 2009, read first time and referred to Committee on Public Policy.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## HOUSE BILL No. 1356

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 4-32.2-2-24, AS AMENDED BY P.L.227-2007,  
2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2009]: Sec. 24. (a) "Qualified organization" ~~means:~~ **refers to**  
4 **any of the following:**

5 (1) A bona fide religious, educational, senior citizens, veterans,  
6 or civic organization operating in Indiana that:

7 (A) operates without profit to the organization's members;

8 (B) is exempt from taxation under Section 501 of the Internal  
9 Revenue Code; and

10 (C) **satisfies at least one (1) of the following requirements:**

11 (i) **The organization** has been continuously in existence in  
12 Indiana for at least five (5) years. ~~or~~

13 (ii) **The organization** is affiliated with a parent organization  
14 that has been in existence in Indiana for at least five (5)  
15 years.

16 (iii) **The organization has reorganized and is continuing**  
17 **its mission under a new name on file with the Indiana**



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**secretary of state and with a new tax identification number after having satisfied the requirements set forth in either item (i) or (ii).**

(2) A bona fide political organization operating in Indiana that produces exempt function income (as defined in Section 527 of the Internal Revenue Code). ~~or~~

(3) A state educational institution (as defined in ~~IC 20-12-0.5-1~~; **IC 21-7-13-32**).

(b) For purposes of IC 4-32.2-4-3, a "qualified organization" includes the following:

(1) A hospital licensed under IC 16-21.

(2) A health facility licensed under IC 16-28.

(3) A psychiatric facility licensed under IC 12-25.

(4) An organization defined in subsection (a).

(c) For purposes of IC 4-32.2-4-10, a "qualified organization" includes a bona fide business organization.

**(d) Evidence that an organization satisfies subsection (a)(1)(C)(iii) includes:**

**(1) evidence of the organization's continued use of a service mark or trademarked logo associated with the organization's former name;**

**(2) evidence of the continuity of the organization's activities as shown in the federal income tax returns filed for the organization's five (5) most recent taxable years;**

**(3) evidence of the continuity of the organization's activities as shown by the five (5) most recent annual external financial reviews of the organization prepared by a certified public accountant; or**

**(4) any other information considered sufficient by the commission.**

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